

Moscow-dictated "peace." If Premier Khrushchev does sign a separate peace treaty with his East German agents, the West cannot prevent him from doing so. Neither will it, contrary to Mr. Khrushchev's utterly false assertions, go to war over his scrap of paper. If Mr. Khrushchev makes good his promises that such a "treaty" will not mean a new Berlin blockade and will not infringe on anybody's rights or interests, the West can live with it.

Western resistance starts, however, if either he or his East German agents do so infringe; and the Western negotiators must dispel any last Soviet doubt on this point. On their effectiveness in doing so may hinge the issue of peace or war.

Mr. HUMPHREY. Charles S. Rhyne, former president of the American Bar Association, has made a very valuable suggestion to the Nation and to President Kennedy in suggesting that some aspects of the Berlin controversy be laid before the World Court. In his statement of July 25, Mr. Kennedy said:

If anyone doubts the legality of our rights in Berlin, we are ready to have it submitted to international adjudication.

Mr. Rhyne, in his address to the Federal Bar Association, suggested:

The legal issues involving Berlin should go via the United Nations to the World Court for an advisory opinion.

We are again indebted to Mr. Rhyne for his suggestion to proceed under world law and order. There are too few voices speaking out for world law and order, and all too many voices that speak out for the same type of force with which Soviet Russia speaks out—the power of force, rather than the power of peace and the noble sense of justice.

Mr. Rhyne speaks for justice, not for brute force. He speaks for law and order, not for aggression and intimidation.

I commend the former president of the American Bar Association, not only for what he is doing now, but for what he has done through the years in promoting the establishment of international law. He has led the fight for strengthening the World Court and for

repeal of the Connally reservation to our joining the World Court.

A nation that bases its law on constitutional principles and upon the rule of law rather than the rule of force should be the first nation that seeks to remove from any articles of acceptance of jurisdiction of a World Court such reservations as are provided in what we call the Connally amendment.

We ought to strengthen the World Court and make it a true instrument of international justice. In fact, what we have done is make it only a symbol, rather than a living reality, of justice.

I ask unanimous consent that the editorial I have referred to be printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

APPEAL TO WORLD LAW

Charles S. Rhyne, former president of the American Bar Association, has gone a step further than President Kennedy in suggesting that some aspects of the Berlin controversy be laid before the World Court. In his statement of July 25, Mr. Kennedy said: "If anyone doubts the legality of our rights in Berlin, we are ready to have it submitted to international adjudication." Mr. Rhyne, in his address to the Federal Bar Association, suggested that "the legal issues involving Berlin should go via the U.N. to the World Court for an advisory opinion."

It would be naive to suppose that the complex and far-reaching Berlin issue could be disposed of by referring it to the World Court in the same way that some domestic controversies are disposed of in the courts of the land. Some phases of the dispute do not lend themselves to legal adjudication. With Premier Khrushchev in his present mood of defying world opinion right and left, moreover, there is no reasonable probability that he would accept a verdict by the World Court or even so much as acknowledge its jurisdiction.

The adjudication of specific legal issues can nevertheless be useful in focusing world opinion and in aiding ultimate solutions. Mr. Rhyne suggested very specifically that the United States ask for a court decree "that the Khrushchev wall should be torn down."

Moscow's contempt for any such decision may be taken for granted. Yet in the mind of millions of people it would confirm the illegality of the arbitrary step that Khrushchev has taken in Berlin and thus make it more difficult for him to maintain this illegal coup for any length of time.

It is of great importance that the United States continue to manifest its interest in the development of world law and international machinery of justice. Unfortunately, this facet of American policy, which has had the support of all our Presidents since Woodrow Wilson, is gravely undermined by the Connally amendment to the Senate's ratification of the World Court statute. This shortsighted reservation makes the United States the judge of whether cases involving itself shall go before the World Court and thereby confers similar self-judging rights on other countries that we may wish to bring into court. It will have to be removed before the United States can hope to make effective use of world law as an alternative to force.

RECESS UNTIL MONDAY, SEPTEMBER 18, 1961

Mr. HUMPHREY. Mr. President, under the order previously entered, as a further mark of respect and honor to the memory of the deceased Representative **OVERTON BROOKS**, I move that the Senate now stand in recess until 12 o'clock noon on Monday next.

The motion was unanimously agreed to; and (at 7 o'clock and 16 minutes p.m.) the Senate took a recess until Monday, September 18, 1961, at 12 o'clock meridian.

CONFIRMATIONS

Executive nominations confirmed by the Senate September 16, 1961:

U.S. ATTORNEY

Alton A. Lessard, of Maine, to be U.S. attorney for the district of Maine for the term of 4 years.

DISTRICT JUDGE

Paul D. Shriver, of Colorado, to be judge for the District Court of Guam for the term of 8 years.

EXTENSIONS OF REMARKS

Lowell Sun Industrial Dinner

EXTENSION OF REMARKS

OF

HON. F. BRADFORD MORSE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Saturday, September 16, 1961

Mr. MORSE. Mr. Speaker, last year the Lowell (Mass.) Sun inaugurated a unique and valuable forum to explore industrial opportunities and, hopefully, help solve industrial problems in northern Middlesex County. Last week, the second annual industrial dinner was held, once again in cooperation with the Massachusetts Department of Congress. I was among those privileged to hear an outstanding address by our distinguished Secretary of Commerce, the Honorable Luther H. Hodges. In order that I may share his remarks with my colleagues,

I, under unanimous consent, include Secretary Hodges' speech in the RECORD:

SUMMARY OF REMARKS BY SECRETARY OF COMMERCE LUTHER H. HODGES TO SECOND ANNUAL INDUSTRIAL DINNER, LOWELL SUN PUBLISHING CO., VESPER COUNTRY CLUB, TYNGSBORO, MASS., SEPTEMBER 12, 1961

I appreciate, Mr. Connors, your invitation to come to Lowell, and I am delighted to join all of you at this annual Lowell Sun industrial dinner.

You know, about 100 years ago one of Lowell's most famous sons—James McNeill Whistler—came down to Washington and went to work for the Coast and Geodetic Survey, which is now part of the Department of Commerce. Whistler didn't stay too long—the truth is he got fired in 3 months—but I thought I might lend a footnote to local history by telling you his career was not without impact.

For one thing, Whistler had a habit of embellishing his coastal charts—sketching in sea serpents, mermaids, smiling whales. This had two effects: 1) it infuriated his scientific superiors; 2) it gave us some of the first

Whistler etchings, which Coast and Geodetic cherishes to this day.

Less enduring, but of even greater imprint at the time, were the drawings Whistler did on the hallway walls. These were mostly caricatures of his bosses, which he would change to suit his mood or his current opinions about them. I gather none of the bosses insisted on the preservation of this work.

Finally, Whistler made his presence felt—and I think few have ever matched him here—by his conspicuous absence. Not only did he arrive late for work, he ducked out as soon and as often as he could. He used to keep a second hat on his coat tree in the hope that his boss would think him somewhere in the building when he was, in fact, down the block, relaxing in a saloon.

Whistler so often appeared for work at noon or later that, at one point, the Coast Survey assigned another draftsman to get him in on time. It gave up the scheme, though, when both men arrived in the middle of the day.

Years after he left, Whistler got around to diagnosing his problems at the Survey. The trouble, he said, "was not I arrived too

late in the morning, but that the office opened too early."

I spent 30 years in the textile industry—all my adult business life—so I know a fair amount about Lowell. I can remember when it was called "the Spindle City," and was the greatest cotton manufacturing center in the United States. I can remember, too, back in the 1920's, when the mills began to leave, shifting southward in a migration that was to last through three decades; that was to affect woollens, worsteds, as well as cotton; and that was to change forever the economic base of this area and, indeed, much of New England.

A generation is, perhaps, too short a time for any community or region to recover fully from having its legs knocked from under it. Yet Lowell has rallied strongly, and, with more help, it might have turned the trick completely.

It has sought and won new industries and has diversified its economic structure. True, textiles are still the area's largest single manufacturing employer. But they now account for only about 12 percent of all nonfarm jobs, compared with 29 percent in 1950, and nearly all nonfarm jobs, except for service operations, 40 years ago.

Most manufacturing jobs today are in new industries—electronics, footwear, ordnance, food processing, printing, apparel. And there are more jobs than there were a decade ago. Despite the loss of 7,600 textile jobs since 1950, total nonfarm employment in the Lowell area has increased slightly in the last 11 years. Only unemployment remains implacable; since 1954 it has ranged from about 7 to 11 percent of the labor force and has not once dropped to a tolerable level.

William Knudsen used to say that "when a woman is naked, she learns to spin." But I think there is more than force of necessity to Lowell's comeback, for otherwise all mill communities would have done as well.

Here, obviously, there has been special effort, an added measure of energy, cooperation, and intelligent planning that has made a difference. Long ago you set up a development and industrial commission and backed it with funds to promote industrial employment and the construction of new plants. Some of your businessmen cooperated by forming the private, nonprofit New Industrial Plants Foundation, which built and sold three new plants with funds partly subscribed by individuals. All told, through cooperative action, you helped bring more than 50 new companies into the area, creating about 8,000 diversified new jobs to help fill the gap left by the textile industry.

I know what this effort has taken—in time, energy, and money. I know the sacrifices that have been made and I applaud you for them. By your work, you have strengthened Lowell's economy, and, just as important, the Nation's too. I think we often overlook this point—that local industrial development does contribute to the Nation's health, that the whole is made up of parts, and the whole can be no greater than the sum of those parts.

In the 8 months it has been in office, the Kennedy administration has attacked the problem of unemployment on two fronts: first, it has sought broadly to increase jobs by stimulating economic recovery and laying the basis for long-term growth; second, it has taken special steps to combat pockets of unemployment which have persisted through recession and recovery alike.

I don't mind telling you that most of us have been surprised by the vigor of the economic expansion these past few months.

Last winter, you may recall, most people figured there would be some sort of business recovery this year. But the general feeling was that the climb would be gradual and slow—saucerlike, the phrase went. Instead, we have had a sharp upturn in economic

activity, a comeback that has been more V-shaped than a sensible saucer would dare to be.

What has happened shows most dramatically in the gross national product, which is the most comprehensive measure of the country's economic state. Between the first and second quarters of 1961, GNP rose nearly 3 percent, from a seasonally adjusted annual rate of \$501 billion to \$516 billion. This \$15 billion gain was bigger than any of the increases in the initial quarter of the three previous recoveries. What is more, it carried GNP to a new record, topping the 1960 high by almost \$9 billion in current dollars, and shading it even after correction for price changes.

Other figures—you can pretty much take your pick—confirm this recovery as probably the strongest since the war. The outlook now is that the economy will be running at an annual rate of \$540 billion gross national product by the end of the year, and at such a level, we should eat sizably into unemployment. In fact, I think we can hope for a national rate of 5½ to 6 percent by year's end, compared with the near 7 percent we have been registering. This will still leave a way to go—even to our temporary target of 4 percent—but we will be moving in the right direction.

The surprising strength of this current recovery is largely the result of three forces: (1) A halt in inventory liquidation, which has brought production requirements more into line with consumption; (2) a rise in consumer durable purchases, particularly of autos, from the low first quarter rates; and (3) increased Government purchases of goods and services.

In addition, the Kennedy administration has stepped up the release of already authorized spending for highways and other construction, extended unemployment compensation, increased the distribution of surplus food, and speeded the payment of tax refunds and dividends on Veterans' Administration insurance. These steps were designed specifically to combat the recession, to ease the misery of unemployment and stimulate demand for consumer goods, inventories, and capital items by adding to the incomes of individuals and business firms. Their impact was felt in Lowell, just as it was in all parts of the country.

To deal with specific pockets of unemployment—areas where the rate of joblessness has been high and long-standing as in Lowell, the President proposed both area redevelopment legislation and a manpower retraining program. Congress in May passed the Redevelopment Act, and it is now being administered by the Department of Commerce through the new Area Redevelopment Administration. The manpower development and training program, which would provide \$655 million over 4 years to train unemployed workers in new skills, is still awaiting final congressional action.

I understand that, just in the past few weeks, Lowell secured State approval of an overall economic development plan, which is the first step in qualifying for aid under the redevelopment program. I want to assure you now that this plan will get our prompt and careful consideration in the Department of Commerce.

The area redevelopment program, I believe, is the most significant step ever taken by the Federal Government to deal with the problem of structural unemployment—the displacement of workers that stems from technological change, industrial migration, and basic shifts in the relative importance of industries in our economy. It will be a valuable endeavor, not only for its stimulation of specific areas, but for its test of our ability to make adjustments to changing technology and shifts in marketing patterns. This sort of program has already been carried out successfully in several European countries.

To date, 663 areas—comprising all or part of 864 counties—have been designated as "redevelopment areas." Economic development plans of 25 of these areas have been submitted and approved by ARA. In addition, one community—Gassville, Ark.—has already had final approval of loans and grants totaling \$160,000 to finance part of a new water system needed to help bring a new business into the area. Others will be announced shortly.

As you may know, Congress made available \$300 million in loans to redevelopment areas over a 4-year period. The money is to be used to expand existing businesses, start up new plants and commercial operations, and install public facilities needed for these growth projects. In addition, the program provides grant money for public facilities and funds for the retraining of workers, subsistence payments, and technical assistance to communities.

What I want to stress here is that this program is by no means a handout. Its basic reliance is on local initiative, local enterprise, local investment. To be eligible for aid, communities themselves must prepare their overall economic development program, a step-by-step proposal of how they plan to restore permanent job opportunities. The plan must be approved by State authorities.

When it comes to loans to help industries get started or expand, communities must participate, too. Of the Federal funds, \$200 million must be loaned only on a participating basis, with ARA contributing no more than 65 percent of the total cost of the projects. In actual practice, ARA's share will be considerably less than 65 percent.

In short, the redevelopment program is designed specifically to help communities, such as Lowell, that prove willing to help themselves. Further, and this is equally important, it is a program to create new employment opportunities. It does not seek to solve the problem of unemployment in one area merely by shuffling industry—and thus creating different pockets of economic misery. It is an attempt to generate added jobs, over and above those existing in the economy today.

In its new role as the "City of Diversified Industries," Lowell, I think, has great opportunities—not just to reduce employment, not just to get back on center, but to grow and absorb right here the thousands of new people who will be coming into your labor force in the next decade.

Right in your front yard, along Route 128, you have had a spectacular example of growth. In a speech in Kansas City a few weeks ago, I pointed out that much of the boom along 128 stemmed from science-oriented industry which has been drawn to the area partly because a strong science community existed in this corner of New England. I emphasized that research and development are, and will be, increasingly powerful forces in industrial development, both in terms of research laboratories and new plants. In fact, sometime during the sixties, we can expect that most capital expenditures will be by new product industries.

With your improved highways, such as Route 3 and Interstate Route 495, you should, in the future, share more fully in this science-oriented growth. Meanwhile, to the extent we are able to improve the demand for American goods by offering new products, better products, cheaper products both here and abroad, your existing industries should expand. And this includes textiles, which this administration has pledged to help under a seven-point program.

Now in these closing minutes let me say just a few things from my own experience in industrial development.

I think that never before has management been so interested in the health and welfare of its employees and in the hu-

man aspects of industrial location as it is today. Few businesses, indeed, will settle in a new community unless it has good schools, good recreational facilities, pleasant homes, and, in addition, is a good place to do business.

Edward M. Clark, president of Southwest Bell Telephone Co., has said that "it doesn't do much good to have good working conditions within your plant if you don't have good conditions in which your employees exist at other hours."

This is the first thing I learned—that to attract industry communities must have and enforce good planning, provide adequate public facilities, maintain a clean city, physically as well as morally. And the second thing I found is that they must provide a good business climate.

What is a good business climate? One large company defines it to include honest and efficient government, fair taxes, a sound working relationship between employers and employees, wage rates which are fair to workers and which, at the same time allow manufacturers to compete efficiently, and community progressiveness—in short, most of the things we think of when we say this place or that is "a good town."

Finally, let me stress that there is no magic formula for building a community, a state, or a nation. It's mostly hard work, mixed with some planning, a healthy attitude, and cooperation on the part of all the people—government leaders, businessmen, labor leaders and workers, professionals, the whole rank and file of the community.

The top men must be sincerely interested, must be active, must participate—this means your mayor, your Senators and Representatives, your Governor, your State legislators, city councilmen, county leaders, your social organizations—in fact all your groups.

And you must never forget attitudes and hospitality, nor stop believing in your product, which is your city and State.

Above all you must be proud, proud and confident of Lowell, of your county and State, of this great America of ours.

Thank you for letting me be with you.

Dr. William J. Burns, Chairman of the Oratorical Contest Committee of the American Legion, Department of New York

EXTENSION OF REMARKS
OF

HON. LEO W. O'BRIEN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Saturday, September 16, 1961

Mr. O'BRIEN of New York. Mr. Speaker, the privilege of extending remarks in the CONGRESSIONAL RECORD affords us the opportunity, from time to time, to pay tribute to men and women of our country who contribute materially to our way of life.

Today, I should like to pay such a tribute to Dr. William J. Burns, of Albany, N.Y., who is serving his 18th year as chairman of the Oratorical Contest Committee of the American Legion, Department of New York.

On two occasions, during the last 8 years, the New York department winner has gone on to become the national champion. This year the national champion is Robert J. O'Connell of St. Helena's High School in the Bronx.

There were 350,000 high school students in this year's event.

Dr. Burns wrote to me and asked that some reference to the accomplishment of young Mr. O'Connell be inserted in the RECORD, which I am happy to do.

"We are, of course, real proud of our new national champion," he wrote.

I am very sure that the young man in question will forgive me if I startle the man who wanted to honor him by inserting in the RECORD that we, in Albany, "are real proud of Dr. Burns."

Countless hours of his time have been consumed during the last 18 years in helping these young people and, through them, the Nation. I think Dr. Burns is typical of so many quiet, hard-working American citizens who give of themselves without blare of drums or sound of bugles, happy in the satisfaction of doing something for others.

Mr. Speaker, we need desperately these days young Americans who not only think straight but who are articulate enough to impress their sound thinking upon others.

The American Legion has reason to be proud of its annual speaking contest. Incidentally, the 1941 national winner was Senator FRANK CHURCH, of Idaho.

But, the Legion knows that its program is brilliantly successful because its managers include fine Americans like Dr. Burns. He has served his country well, in war and in peace. I am proud that he is a citizen of my hometown.

The William G. Goudy Elementary School of Chicago

EXTENSION OF REMARKS
OF

HON. EDWARD R. FINNEGAN

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Saturday, September 16, 1961

Mr. FINNEGAN. Mr. Speaker, under leave to extend my remarks, I would like to take this occasion to pay tribute to the William G. Goudy Elementary School of Chicago, one of the many fine schools of which we of the 12th District of Illinois are so very proud. The W. C. Goudy School is taking part this weekend in the Freedoms Foundation Valley Forge Pilgrimage to Valley Forge, Pa. There, Mrs. Helen van Bramer, Goudy School principal, Miss Nancy Banks, teacher, and Miss Melinda Moonahan, student of Goudy, will receive for Goudy School the George Washington Honor Medal for outstanding achievement in bringing about a better understanding of the American way of life. This award was 1 of 27 given to schools in the United States as winners of the highest school award of Freedoms Foundation at Valley Forge.

The recipients of the George Washington Honor Medal were chosen as a result of the following procedure:

First, Each year Freedoms Foundation at Valley Forge accumulates from throughout the Nation's schools outstanding expressions projects and pro-

grams which help build better understanding of the American way of life.

Second, The Freedoms Foundation selects through a nonpartisan independent awards jury the most effective and inspiring works of schools.

Third, The Freedoms Foundation then spotlights especially useful works and selects award recipients.

Fourth, Freedoms Foundation publishes and distributes programs and ideas that help in the struggle of freedom for their personal liberty and for their personal dignity against totalitarian and tyrannical forces.

I think special recognition should be given to Mrs. Hyacinth Drechney, for, as I understand it, even though Mrs. Drechney has retired, she had much to do with this outstanding work in patriotism at Goudy School. Mrs. Drechney has previously made the Valley Forge pilgrimage on two occasions when she won this honor during the time she was principal of the Frederic Chopin School and again as principal of the Minnie Mars Jamieson School.

The ICC and the Public Interest in Railroad Merger Proceedings

EXTENSION OF REMARKS

OF

HON. JOHN B. BENNETT

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Saturday, September 16, 1961

Mr. BENNETT of Michigan. Mr. Speaker, many Members of the Congress from all sections of the country in recent months have expressed themselves as being strongly opposed to pending railroad merger proposals as they are being handled by the Interstate Commerce Commission. Their remarks in the RECORD have incorporated many statements which have originated with, and express the opposition of, shippers, local communities, State public utility commissions, organized labor, transportation experts, and other railroads. Some railroads have stated that, if present merger proposals are approved by the ICC, they will be adversely affected so severely that they will be forced into bankruptcy and vitally needed rail services would not survive.

My own concern over the seriousness of the problem presented by the inadequate protection of the public interest existing under the present national policy governing railroad mergers was first expressed last March when I introduced House Joint Resolution 355, a resolution to temporarily suspend the authority of the Interstate Commerce Commission to approve consolidations, unifications, or acquisitions of control of railroad properties. My purpose in proposing this legislation was to give Congress time to take a new look at the problem in the light of the changed situation which has come about since 1940, when the present law was adopted.

It is certainly clear that many basic and fundamental changes have occurred

in the railroad industry since Congress last looked into this problem more than two decades ago and drastically amended the historic national policy with respect to railroad consolidations by placing the initiative for them solely in the hands of railroad management. Previously, our national transportation policy had always made it clear that the public interest was paramount. Under the Transportation Act of 1920, there was a clear requirement that railroad mergers should be permitted only when they would promote the public interest, preserve competition and the existing routes of traffic, and, in general, strengthen the industry as a whole. Recent decisions of the ICC under the amended policy adopted in the Transportation Act of 1940, however, show that the Commission has not given adequate consideration to the adverse effects of mergers upon competing railroads.

One railroad which has been particularly outspoken against the way in which decisions on railroad consolidation proposals are being handled by the ICC is the New York Central, which formally petitioned the Commission asking it to postpone action on pending merger proposals until it had looked at their impact on the future of railroad service. This request, which seems to me to be so necessary an ingredient of any intelligent action to protect the public interest that it should have been undertaken as a fundamental first step by the Commission in developing its policy toward railroad mergers in general, was, I regret to say, rejected by the Commission on grounds that the present law neither requires nor permits it to take such a long-range view.

Following the introduction of my resolution, which has since also been introduced in a similar form by several other Members of the House on both sides of the aisle, Chairman OREN HARRIS of the House Committee on Interstate and Foreign Commerce asked the Commission to report upon it for the guidance of the Committee. Under date of May 4, 1961, ICC Chairman Everett Hutchinson replied setting forth the Commission's views. This letter analyzed my resolution in detail, expressed opposition to it and then indicated that the Commission felt that the resolution was unnecessary because the timetable of the Commission was such that its action on all but two pending merger applications most likely would not be completed "prior to the close of the second session of the present Congress in 1962." Mr. Hutchinson's exact words were as follows:

Considering the present status of the described applications, it is unlikely that a decision will be reached by the Commission prior to the close of the second session of the present Congress in 1962 upon any such applications, except possibly the two last mentioned involving the Lehigh Valley and the Central of Georgia railway companies. Thus, it would appear that Congress will have adequate opportunity to review the situation before any of the major proposals may be made effective.

Since House Joint Resolution 355 and the other similar resolutions propose to suspend the authority of the Commission

to approve mergers until December 31, 1962, it was implied that this timetable made such legislative action unnecessary because the ICC did not intend to take action on pending merger applications, with but two exceptions, until almost that time in any event.

In the 4 months since Chairman Hutchinson expressed this view, however, the Commission has proceeded with its handling of the various merger applications before it at what I can only describe as an almost frantic pace. One of the most shocking evidences of this was the Commission's flat rejection of a request by the Antitrust Division of the U.S. Department of Justice for a few weeks additional time to prepare its case for the public interest in the Seaboard-Atlantic Coast Line Merger case. After several months of field hearings and a record of hundreds of exhibits running to many millions of words, the Antitrust Division requested the Commission to grant it until 30 days after the last hearing closed to permit it to study this mass of evidence and file its statement and exhibits on behalf of the public. When it is remembered that the railroads seeking merger approval had spent several years in the preparation of their case, the request of the Antitrust Division, as the agent of the general public, was extremely reasonable in my view, and clearly should have been granted. Nevertheless, the Commission turned down the Antitrust Division's request and granted it only until June 5 to prepare its case. This, as the Antitrust Division told the Commission, was obviously too short a time to permit it to examine and analyze the mass of conflicting testimony and exhibits developed at the field hearings. The result is that the record of this important proposed railroad merger—which involves the abandonment of more than a thousand miles of railroad track, the disruption of the lives of thousands of people in scores of communities, and, as the Southern Railroad has charged in its statements in opposition, the creation of "a vast monopoly" of railroad service which will adversely affect many other railroads' ability to compete—is now closed.

The Commission on other occasions recently has apparently shown a similar indifference to the needs of adversely affected railroads and others for adequate time to prepare their case in the pending proceedings. I must therefore assume that such undue haste and lack of adequate concern for full development of the public interest viewpoint in opposition to railroad mergers is a true reflection of a basic ICC policy.

Moreover, Mr. Speaker, there have been other new developments brought to light in connection with railroad mergers now pending before the Commission which cast further doubt upon the adequacy of Commission procedures at the present time. In his comments upon House Joint Resolution 355, Chairman Hutchinson in his letter of May 4, 1961, made the following comment concerning the resolution's assertion that there is currently in progress a "struggle between dominant regional railroad corporations" to gain control of other such prop-

erties without due regard for the public interest:

To the extent it might imply that overt action has been taken by one or more railroads resulting in the power to control others, attention is called to the fact that the Transportation Act of 1940 greatly strengthened the powers of this Commission to investigate, either upon its own motion or upon complaint, any transaction which might result in the acquisition of control or the power to control one railroad by another, and its powers to enforce these provisions by ordering such action as necessary are extremely broad. The Commission has been keenly aware of the increased interest of railroad officials in possible mergers and you may be sure that it will continue to keep informed of any situations which might progress beyond mere negotiation and discussion into the realm of the power to control in violation of section 5(4) of the act. If and when this occurs, or appears to have occurred, the Commission will not hesitate to act to prevent any unlawful control.

This statement, which conveys the impression that the Commission is now diligently policing the stock purchases of various railroads, must, I think, also be questioned in view of the evidence which is now part of the official records of pending proceedings. The fact is that although, as Chairman Hutchinson says, the ICC does have considerable powers to act to prevent illegal acquisition of control of one railroad by another, the record of the proceedings in both the C. & O.-B. & O. merger proposal and in the struggle between the Southern Pacific and Santa Fe for control of the Western Pacific shows that such illegal action has been going on, even at the very time Mr. Hutchinson's letter was being written. The Antitrust Division of the Department of Justice has made formal charges before the Commission in these two cases that the railroads involved have violated the Interstate Commerce Act by actually acting to acquire control through stockownership without first obtaining ICC approval as the law clearly requires. Although I am advised that the Commission is now considering these alleged illegal activities, it certainly has been tardy in policing them. It is evident, too, from other reports of recent railroad stock purchases widely reported in the daily press that this provision of the law is being openly ignored by other railroads as they struggle to protect themselves in the mad scrambling for railroad control between rival financial interests which the current railroad merger movement has stimulated.

All recent official studies point to the need for a great expansion of our transportation capacity over the coming decade, if the needs of the national economy are to be met. No less responsible a group than the Corps of Army Engineers has estimated that the Nation will need at least double our present freight carrying capacity by 1980 and that it is probable that we will have to double this capacity again by the year 2000. With such warnings—quite different from those of the 1930 depression which shaped the thinking of the Transportation Act of 1940—it seems clear to me that the time has come when we must

reappraise our present policy of encouraging a shrinkage of the Nation's railroad network through mergers as was advocated when an excess capacity existed temporarily in a depressed economy more than 20 years ago. All the evidence now points to the fact that, rather than a contraction of transport capacity through mergers, we must act swiftly to take steps to expand such capabilities if we are not to be caught dangerously short of adequate rail transportation within a comparatively few years. Moreover, we must remember that real shortages of rail capacity during World War II showed conclusively that, if the railroad mergers advocated in the 1930's had been put into effect, our Nation would have had a near disastrous lack of rail capacity during the war years. Today's tense international situation makes the lesson to be gained from this past experience all the more significant.

For these reasons, Mr. Speaker, I do not believe that we can allow the present clearly inadequate handling of the railroad merger problem under present law to drift much longer without doing irreparable harm to our national future. Because of the developments since my resolution was introduced, as I have cited them here, I am now all the more convinced the need for immediate action by the Congress to protect the public interest in this vital matter. In order that the Congress may better understand the nature of the problems arising from the present railroad merger movement, I include, under unanimous consent, the full text of House Joint Resolution 355 in the RECORD at this point as a conclusion to my remarks:

Whereas under existing law the Interstate Commerce Commission does not have adequate authority to protect the public interest in the matter of consolidation, unification, or acquisition of control of railroad properties, since it is without power to make such developments conform to any pattern for the most efficient development of our national railroad network or to the long-range future needs of our Nation for economic expansion, national defense, and overall continuing transportation needs; and

Whereas there is now an intensive struggle between dominant regional railroad corporations to gain control of other strategic railroad properties in order to strengthen and extend their position in traffic interchange and in access to traffic producing areas without consideration of the effects of the elimination of competition and curtailment of railroad services resulting from such consolidations, unifications, or acquisitions of control on the small and weaker railroads, or on the welfare and convenience of the general public, small business establishments, shippers and industries in the respective areas; and

Whereas members of the Interstate Commerce Commission have been actively encouraging consolidations, unifications, mergers, and acquisition of control on any basis, however fragmentary and without regard for their effect upon the long-range transportation needs of the Nation; and

Whereas the Commission recently rejected an appeal from the New York Central Railroad for a suspension of mergers until it had undertaken a study to establish a proper pattern and policy for such unifications and acquisitions of control that would adequately protect the competing railroads who are now being adversely affected, or are

threatened with adverse effect, if the current unification process is allowed to proceed without proper planning in the public interest; and

Whereas the comprehensive study of our national transportation problems which has just been completed by a special study group for the Senate Interstate Commerce Committee, while favoring further mergers in the industry, has nevertheless warned that the process should be halted temporarily until a proper overall plan is evolved lest irreparable damage be done to our existing railroad network; and

Whereas, consolidations, unifications, mergers, and acquisitions of control already accomplished and proposed reveal the problems of greater difficulties for weaker railroads, elimination of competition for traffic, curtailments of railroad facilities in the respective areas, and a fragmentary, negative, and adequate approach to the necessity of adjusting our railroads to the needs of a dynamic, expanding economy: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That, in order to provide Congress with time to review the problems arising from the present railroad merger movement, the authority of the Interstate Commerce Commission to approve future consolidations, unifications, mergers, or acquisition of control of railroad corporations is hereby suspended until December 31, 1962, and during this period of suspension of the Commission's authority in this area, the operation of provisions of antitrust laws applicable to mergers or consolidations shall again be in full force and effect.

Small Business Administration Action Responding to Catastrophe of Hurricane Donna—1960 Receives High Praise

EXTENSION OF REMARKS OF

HON. DANTE B. FASCELL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Saturday, September 16, 1961

Mr. FASCELL. Mr. Speaker, on September 9, 1960, Hurricane Donna swept across the Florida Keys. Donna was no lady. She packed a devastating punch with flattened homes and business buildings alike, played "jackstraws" with house trailers, tossed boats like matchsticks, tore up shrubbery, trees and landscaping, and her winddriven waters ruined machinery, equipment, household furnishings, personal belongings and whatever stood in her way. The main force was directed at the Keys from Key Largo to Marathon, but her side effects of wind, rain and water were felt from North Miami Beach to Key West.

After leaving the Keys, Donna roared across Florida Bay, struck full force at Cape Sable, followed the coastline north through Everglades City, Naples, and Fort Myers, then turned inland following a path over Arcadia, Wauchula and northward through the center of the State until finally on September 10 she turned out to sea just north of Daytona Beach.

In Donna's wake was the most costly destruction of property in Florida history. The stories of heroism and actions beyond the call of duty are legion.

The Highway Patrol, the Sheriff's Department, the Red Cross, Civil Defense, the Navy, the National Guard, private individuals and public services all played dramatic roles in helping restore order and livability in the midst of chaos and destruction.

But this is not a story of Donna's force or the determination of the people whose homes and businesses were destroyed. Rather, it is the factual account of one Federal agency, the Small Business Administration, which without hysteria or heroics, went about its business of helping disaster victims build back to normal so that today, 1 year later, practically no visible scars of Donna's rampage remain.

The Small Business Administration is charged with the responsibility of making long-term low-interest loans to victims of natural disasters so they can restore or rehabilitate their destroyed, lost or damaged property. Almost before Donna's hurricane winds died down, SBA representatives from the Miami Branch Office under the direction of Manager James Carpenter, flew to the storm area to survey the destruction. On Sunday, September 10, while Donna still roared up the center of the State, the Keys and the lower west coast were being investigated. On Monday, the 11th, the path was followed northward, then eastward to where Donna put out to sea. On Tuesday, September 12th, it was determined what special disaster offices would need to be opened to interview victims and process the deluge of applications which were sure to come. Loan examiners and clerical assistants were recruited from all over the Southwest, the East, the Middle West and the South.

From Atlanta, Birmingham, and Knoxville they came; from Philadelphia and Cleveland; from Detroit, Chicago and Minneapolis; from San Antonio, Dallas and New Orleans. Supplies were assembled and field offices opened in Daytona Beach, Tampa, Fort Myers, Naples, Marathon and Islamorada. The nerve center was Miami with Miami personnel directing operations statewide.

In Marathon an office was set up in trailers alongside the Marathon State Bank 4 days after the storm. SBA workers took their own water from Miami because the Keys aqueduct had been broken. They joined the natives in what housing was available and their crew went to work; interviewing, helping with the application forms, inspecting damage, estimating losses and checking the credit worthiness of businesses and individuals.

Ten days after they received their first SBA loan application, the money was being disbursed for rehabilitation and repair. Donna's destruction spread over a wide area in varying degrees from Key West to Daytona Beach and in overall Florida, SBA officers interviewed 1,769 disaster victims. These were the recorded interviews, but the deluge was so great that many mass interviews were held of which no record could be kept.

In the Fourth Congressional District, which covers Dade and Monroe Counties, SBA received 482 applications, in a total dollar amount of \$12,507,731. Many applications were for losses greater than

the destruction sustained. Many were for items of a personal nature that were ineligible for replacement, but in this area alone, SBA approved 395 of the 482 applications received and the total dollar amount through July 31, 1961, made available to these victims of this storm, was \$5,371,576.

Many persons wanted to wait many months before they determined to rebuild. So, the Miami SBA office continued to accept applications until last June 1. Most loans were for new construction, some not yet completed, so the SBA is still closing and disbursing loans in the Keys.

Donna may be just a memory to many of the services who did a job for the disaster victims, but to the SBA Miami office employees it remains very real. In many instances, they'll be servicing the loans for 20 years to come and each month they will be reminded of the heartbreaking devastation right after September 9, 1960.

Small Business Administration Administrator John E. Horne, was formerly Administrator of the Small Defense Plants Administration, the predecessor agency of the SBA, and was for many years Administrative Assistant to Senator JOHN SPARKMAN, of Alabama, chairman of the Senate Select Committee on Small Business.

In this position, Horne assisted in the development of many legislative measures designed to aid small businesses, and gained wide knowledge of the programs which have been instituted to foster and strengthen the Nation's small business economy.

Mr. Horne's grasp of the problems of small business was demonstrated immediately by his action in assisting the residents of south Florida following Donna.

The Small Business Administration and Administrator John Horne have the heartfelt thanks and gratitude of the people of Florida for a job well done.

Citizenship Day

EXTENSION OF REMARKS

OF

HON. HERMAN TOLL

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Saturday, September 16, 1961

Mr. TOLL. Mr. Speaker, tomorrow, September 17, has been designated as Citizenship Day, and it will be observed by native and naturalized citizens all through our country. A special bulletin has been issued by the Immigration and Naturalization Service of the Department of Justice for the celebration of Citizenship Day and Constitution Week. This Department provided 5,000 copies of the bulletin for use by chapters of the Federal Bar Association and for other organizations cooperating with the Association in promoting Citizenship Day.

I am sure that many cities of our country made plans to observe Citizenship Day, commemorating the signing of the Constitution on September 17, 1787, and

honoring our newly naturalized citizens and our native-born youths who have recently reached their majority.

I congratulate the Federal Bar Association and its officers for playing a leading role in the observance of a day which is so important in the lives of American citizens.

Religious Doctrines and Communist

Doctrines

EXTENSION OF REMARKS

OF

HON. WALTER L. McVEY

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Saturday, September 16, 1961

Mr. McVEY. Mr. Speaker, I am baffled by some members of the clergy who have apparently confused their religious doctrines with Communist doctrines. Whether by purpose or accident, they are helping the Communist cause in America by preaching from their pulpits pleas to admit Red China to the United Nations, and also their opposition to the House Committee on Un-American Activities. This must please the Communist leaders, who disavow any belief in God, that they have succeeded in tricking God's ministers to convert about 95 percent of their audiences into believing that Red China should be recognized in the world organization.

It is significant that if these ministers are successful in both instances, they will not only open the door to Red Chinese domination of world politics, but they will also destroy one of America's greatest instruments now being used to defend itself against Communist subversion.

Ironically, communism and a belief in God are diametrically opposed to each other; but, the Communists are adept at using naive and misguided persons for their own purposes. Fortunately, the majority of our ministers have white and blue in their blood and are aware of the struggle going on today to gain control of our churches.

Perhaps the basic error in the thinking of many members of the clergy and intellectuals lies in their failure to realize that the evil of a tyrant is simply that he is a tyrant. Intellectuals are prone to ascribe good motives to tyrants on the left hand of political philosophy, and to ascribe bad motives only to tyrants on the right, when in fact, they are all evil for they seek to deny freedom to the peoples of the world.

From time to time, I receive correspondence from ministers in my district concerning this insidious subversion. In reply to one such letter from a Presbyterian minister, I stated that I was encouraged by the individual members of the clergy who are beginning to speak out in favor of American patriotism, and I made it clear that I do not wish to condemn the vast majority of the clergy who are loyal to their faiths and their country. On the other hand, I voiced my distress at the actions of the Presbyterian Church in advocating the ad-

mission of Red China to the United Nations, as well as the recent action of a Methodist youth group in my district denouncing the House Committee on Un-American Activities.

My letter was forwarded to the Board of Christian education of the United Presbyterian Church in Philadelphia, and subsequently, I received a very strong reply from Mr. H. B. Sissel, associate secretary, office of church and society, on the letterhead of the United Presbyterian Church in the United States of America. I shall enclose the full text of his letter below, but for the moment, let me state that Mr. Sissel wrote a long letter defending the position of his church in the familiar pattern long used by the so-called liberals by resorting to such terms as "McCarthy era," "professional anti-Communists of the John Birch Society" and attacking the film "Operation Abolition." Also, he included an explanation of his church's stand on the admission of Red China to the United Nations in the context of the Cleveland World Order Study Conference sponsored by the National Council of Churches.

Mr. Speaker, under leave to extend my remarks, I am setting forth herein the full text of my reply to Mr. Sissel which clearly states my thinking on this general subject. It is followed by Mr. Sissel's letter:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,

Washington, D.C., September 13, 1961.

Mr. H. B. SISSEL,
Associate Secretary, Office of Church and Society, Philadelphia, Pa.

DEAR Mr. SISSEL: I have given considerable thought to your recent letter before replying.

It was not I who said that "Communists may be attempting to infiltrate the clergy." This was the statement of a very fine bishop of the church, and frankly I do not understand how you can take issue with the bishop's statement. Everyone who comprehends the operation of the Communist apparatus knows that it is constantly attempting to infiltrate every institution of American life, and in some measure, it has been successful.

I don't believe the clergy has been infiltrated by actual Communists to any appreciable degree. The records of the congressional investigating committees, so I am informed, indicate that only three members of the clergy have been identified as one-time members of the Communist Party. One was a Methodist minister and the other two were Presbyterians identified by witnesses under oath. I am informed, however, that many members of the clergy have supported and also have been members of numerous Communist-front organizations and causes. Probably the majority joined and supported these organizations unwittingly.

I am concerned about the large number of members of the clergy who are constantly out in the frontline attacking anti-Communist organizations and congressional investigating committees.

The attitude of the congressional investigation committees concerning the Communist attempt to infiltrate religious institutions is best expressed by GORDON SCHERER, a member of that committee, during the hearings on the Air Force Manual. I am enclosing a copy of those hearings, and you will find Mr. SCHERER's statement on page 1317.

You speak of the McCarthy era and professional anti-Communist groups. I realize that Senator McCarthy made some mistakes,

but I also know that his mistakes were distorted and exaggerated beyond belief by his enemies and the leftwing crowd. The charge that he smeared innocent people's reputations and careers, as you put it, has become a "general charge without being specific" for investigations disclose that many of the so-called innocent people whom McCarthy has been accused of smearing have turned out to be just what he said they were * * * security risks.

Extreme anti-Communist groups exist largely because many people in the labor movement, in the field of entertainment, in the clergy, and in our educational institutions have associated themselves with Communist-front organizations and have loaned their names and prestige over the years to these Communist-front organizations. Many of those who now speak out against the John Birch Society and other anti-Communist organizations have remained strangely silent about the Communist-front apparatus in the United States.

A fairly prominent Protestant clergyman told me not long ago that it was his feeling that some of his colleagues were soft on communism and Communist-front operations because the Communists were giving the Catholics such a hard time. He said to me that these colleagues of his who took this position did not understand that while for the present the full fury of the Communists was directed toward the Catholic hierarchy, because of its universal control and discipline over the masses, all churches would eventually feel the intensity of the Communist lash.

You say that the Presbyterian Church is only "going along with a policy of considering" the recognition of Red China. Doesn't the church know what is happening in Red China? Red China is controlled by a clique of atheistic immoral murderers seeking to destroy all churches.

The Presbyterian clergy and all other clergy for that matter, should be out in the frontline, fighting all efforts to recognize and put the stamp of approval of the Christian church on this evil monstrosity of our time. Jesus didn't debate as to whether the evil moneychangers should be allowed in the temple. He drove them out.

The last matter you discuss in your letter of July 24 is the film "Operation Abolition." I am literally appalled that the Council of Churches and the Presbyterian hierarchy, in particular, should have injected themselves into this controversy and published material against the House Committee on Un-American Activities and the film "Operation Abolition." No one's fooling anybody. The leadership in the National Council of Churches and some of its constituent bodies have shown disapproval of the Committee for years, and apparently they have jumped into this fight to discredit the committee and the film in the spirit of "get even."

Over the years the House Committee on Un-American Activities has identified and exposed many Communist-front organizations. Unfortunately, too many prominent individuals in the leadership of our churches have supported, belonged to, and given their names, money, and prestige to these front organizations. The identification of these organizations by the committee has made some of the church leaders look bad, but it wasn't the committee that pointed out the clergymen who belonged to these front organizations. Rather it was laymen within the Protestant church who became sick and tired of the support of Communist-front organizations and causes by the professional leadership of the Protestant church, and it was they who put the finger on those in church leadership supporting these front organizations.

In attempting to discredit the exhaustive investigations and eyewitness accounts of the Federal Bureau of Investigation con-

cerning the San Francisco riots, you have pointed out that the Hoover report stated that "one of the demonstrators provided the spark that touched off the flame of violence," etc. You say the Hoover report lied in this respect because the young man was acquitted and, therefore, you repudiate the whole report. The fact is, however, that the incident is recited to have taken place in the FBI report. Many times persons are acquitted who are actually guilty of the offenses charged. Occasionally, persons are found guilty who did not commit the acts charged. One of the greatest trials in all history, with which you are no doubt familiar, is that of our Savior before Pontius Pilate. I believe you would be the last to say the Jesus actually did the things with which he was charged, yet he was found guilty and crucified.

It would seem that the most reliable witnesses as to the authenticity of the film would be those individuals who were present and not identified with either side of the controversy. Would you doubt the voluntary statements of the seven ministers, who attended and were witnesses as to what took place, and who said that the film was authentic and that the charge that it was a forgery or distorted was a manifest lie? Reverend Nims, who was on the Board of the Regional Council of Churches, resigned from that board in protest of the action taken by the National Council of Churches with respect to this film. The full statements of the seven ministers and that of Reverend Nims are set forth in the attached speech from the CONGRESSIONAL RECORD, entitled "Yellow Journalism," as well as the testimony of the mayor of San Francisco and other eyewitnesses.

One of the documents which the National Council of Churches is sending out in an attempt to discredit the accuracy of the film says that the demonstrations on May 12 did not take place while the committee was in session as indicated by the film. This statement is definitely not true. The committee was in session. The National Council of Churches' document says no member of the subcommittee was in the hearing room except Congressman SCHERER who was standing at a window in the hearing room looking outside. Well, the fact is that on that date, Congressman SCHERER was incapacitated in Cincinnati, 2,000 miles away. He didn't arrive in San Francisco until Saturday morning, May 14. As long as we are talking about distortions, I thought I might comment on this little matter in one brochure of the Council of Churches.

The evidence is conclusive that the film of the San Francisco riots has hurt the Communist conspiracy within the United States as nothing else has done in many years, and it has set back their timetable for destruction of the House Committee on Un-American Activities; therefore, the Communists have tried to divert the attention of the American people from the real issues and discredit this film. For one thing, I do not know why the Council of Churches, except if it were to get even, as I pointed out above, has entered this controversy. I am shocked that they have inferred that members of the clergy who were eyewitnesses to this rioting, are not telling the truth as to the accuracy and authenticity of the film. The National Council of Churches is most certainly helping the Communists in their attempt to discredit this film and they are doing so without any justification whatsoever.

I know hundreds of laymen who are disgusted and disheartened with the policies of our church leadership and are of the opinion that we had better return to preaching basic morality in the churches, sermonizing on the goodness and omnipotence of God and man's relationship to God and his fellow men, instead of doting on so-called

social justice and trying to get our people to follow a left wing political philosophy, and becoming involved in a brawl over a Communist-inspired riot, again finding ourselves in bed with the agents of the Kremlin.

Sincerely yours,

WALTER L. McVEY,
Member of Congress.

P.S.—Shortly the Committee on Un-American Activities will release a document on the various issues raised over the San Francisco hearings and the film. I will see that you get a copy of the same and I would then appreciate your further comments.

THE UNITED PRESBYTERIAN CHURCH,
IN THE UNITED STATES OF AMERICA,
Philadelphia, Pa., July 24, 1961.
The Honorable WALTER L. McVEY,
House Office Building,
Washington, D.C.

My DEAR Mr. McVEY: It has come to my attention that you have voiced your concern that "Communists are (or may be) coming into the ministry," and that you are distressed by "the action of the Presbyterian Church in advocating the admission of Red China to the United Nations."

Of course, for any group to "prove its innocence" of the charge that it has been, or is being, infiltrated by Communists is impossible (and ought to be unnecessary in our society) unless the general charge is made specific and leveled against particular individuals. Even this listing of particular persons, when it has occurred, has been particularly irresponsible, tending to "identify" a person on the basis of his support of particular causes or organizations engaged in legitimate (and, to be honest, in some cases highly questionable) causes.

This country was able to weather the sowing of suspicion and dissension in the McCarthy era at considerable cost to several innocent people's reputations and careers. Today we are apparently to be subject to a similar season of suspicion, much of it sponsored by the "professional anti-Communists" of the John Birch Society and other similar groups. I am not, believe me, suggesting that you are affiliated, or even sympathetic, with such organizations (and if you were, that would be your privilege), but it is distressing to me as a clergyman and as an employee of the United Presbyterian Church U.S.A. to hear of a Congressman repeating even in a mild way the general charge of communism among the clergy. As one who went through 4 years of seminary, I can say unequivocally that it would be impossible for a Communist agent to endure one semester, let alone 3 years, the intellectual and spiritual discipline of theological training without either getting flunked out, laughed out, or giving up the effort as a waste of his time. I once stayed up half the night arguing with a Paris-trained Stalinist and found him both clever and rigid, but like a Pavlov's dog on certain subjects (for example, he could not endure any criticism of the Soviet Union), he reacted predictably and without imagination.

So please, Mr. McVEY, if you know of Communists among the Presbyterian clergy or in theological training, name them to this church with evidence, and give their names also to the FBI. But do not dishonor us with voiced general suspicions or fears that they are somewhere in our midst.

In this same vein, I am enclosing a recent action by our general assembly last May on "The Communist Conspiracy and American Freedom," which seeks to delineate rather precisely between real and imagined threats from the Communists, and which I hope you will read.

On the second subject you raise, the alleged action advocating the admission of Red China to the U.N., I can only conclude that you were referring to an action taken

by our general assembly in 1959, which I quote in its entirety:

"INTERNATIONAL RELATIONS—CLEVELAND CONFERENCE

"Noting that the National Council of Churches for many years has, through its various departments, held study conferences on issues of public policy;

"Noting further that these conferences consist of delegates from constituent denominations and agencies of the National Council of Churches, and that the delegates and conferences speak only for themselves through statements designed to stimulate further study and free discussion in member denominations and churches;

"Observing that, among the recommendations coming from the Fifth World Order Study Conference held in Cleveland, one concerning the diplomatic recognition of the People's Republic of China by the United States and its admission to the United Nations has provoked not only responsible discussion but also irresponsible censure; and

"Acknowledging the validity of arguments on both sides of the Red China question, considering that immediate recognition of that government may not be feasible, and yet looking toward the day when diplomatic relations with the mainland government may be both feasible and desirable;

"The 171st General Assembly commends the National Council of Churches for holding its Fifth World Order Conference and dealing courageously and honestly with vital issues which were controversial;

"Urges United Presbyterian churches to resist and reject unconsidered reactions to the Red China recommendation of the Cleveland conference; and

"Calls upon the church to engage in responsible study of the reports of the Cleveland conference in connection with the interdenominational coordinated emphasis on international affairs in the program year 1959-60."

You will see that it does not advocate the admission of Red China, but in the context of the Cleveland World Order Study Conference sponsored by the National Council of Churches (and which spoke for itself only), urges Presbyterians to study the question responsibly. I understand that a similar study has been going on in the State Department for many months now, looking toward the day when the question may be decided with or without our approval at the U.N. And incidentally, while recognizing the serious repercussions that would take place among the non-Communist countries (not to mention among the American public) if and when Red China is recognized, I must say that I hope that any disarmament agreement that may be reached among the great powers has Red China as a signatory to it, with adequate inspection made mandatory.

Finally, on the subject of "Operation Abolition," it would be in bad taste for one to argue with Mr. Hoover of the FBI concerning the role played by Communists in the student demonstrations in San Francisco in May of 1960. It can be said, however, that these demonstrations were considerably more complex than either "Operation Abolition" or "Communist Target—Youth" suggest. As a matter of fact, at least three different demonstrations were taking place, and two of them would have happened anyway had there been Communists present or not. Perhaps the enclosed confidential study made by this office will cast a different light on these demonstrations for you, or at least raise questions you have not yet had brought to your attention. Certainly it goes without saying that the behavior of the students, questions of Communist influence aside, was particularly unruly and unjustified. At the same time, the assertion made by Mr. Hoover that "One of the demon-

tors provided the spark that touched off the flame of violence. Leaping a barricade that had been erected, he grabbed an officer's night stick and began beating the officer over the head." (P. 8, "Communist Target—Youth"), has been called into question by virtue of the fact that Robert Melsenbach, the student here referred to, has been acquitted of that charge. The fact that no one was convicted of rioting or inciting to riot suggests that the terms, riot and violence (which are used verbally several times in the film but never shown on the film) are perhaps somewhat more vivid than the events and subsequent investigation warrant.

If this letter seems longer to you than it ought to be, it is because this office has been receiving heavy mail from all over the country from clergymen and laymen asking us how to respond to general charges of Communist infiltration in the major denominations and the National Council of Churches. Dealing with these, in my opinion, irresponsible charges is consuming an unconscionable amount of time and energy among churchmen that might well be devoted to more constructive tasks necessary to the maintaining of a free church and an open society—both of which are our best domestic bulwarks against the very real and dangerous Communist conspiracy.

Respectfully yours,

H. B. SISSEL,
Associate Secretary,
Office of Church and Society.

Legislation To Protect Consumers From Monopolies

EXTENSION OF REMARKS OF

HON. DAVE MARTIN

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Saturday, September 16, 1961

Mr. MARTIN of Nebraska. Mr. Speaker, I rise to speak on a matter of compelling importance. Today I have introduced legislation designed to eliminate labor union monopolies. This legislation embodies amendments to the Sherman, Clayton, Norris-La Guardia, and National Labor-Management Relations Acts.

It is the duty and responsibility of the Congress of the United States to lay down the rules governing the conduct of labor as well as management—rules that will provide adequate protection to the long-suffering consumer and that will outlaw excessive concentrations of economic power that can and have been used to the detriment of the progress of our Nation.

Governmental control must be maintained at that minimum level which will, on the one hand, permit the forces of free business and free labor to work out their own individual and unique problems and, on the other hand, prevent excesses through massive concentrations of economic power by either labor or management.

Treatment of monopolies in the United States is nothing new. While we have recognized the perils of monopolistic interests, we have been slow to safeguard the public against them. Monopolies do exist, and legally so, in

our social and economic framework. But those monopolies, and I am now referring to the broad public utility area of activity, are not permitted to run rampant; they are regulated monopolies, and properly so. The basic purpose of this regulation has been the protection of the consumer, who, alone, is powerless.

I make this comment, Mr. Speaker, because the legislation I have just introduced is aimed at the objective of insuring adequate protection for the consumer, of guaranteeing redress and due process, of initiative and incentive, of action taken voluntarily by freemen in a free society, and of returning a balance between organized labor and management in the conduct of their business.

I am opposed to any monopoly of any sort. I am as opposed to a business monopoly as I am to a union monopoly, a farmer monopoly, a political monopoly, or any other kind of monopoly. Unless an activity has been enfranchised by the state—and protected or guarded by the state—to discharge a public service which otherwise could not be provided, the power that gives rise to monopolies should have no place in our society and should be dispersed.

Essentially my bill would extend the principle of protecting the public from restraints of or interference with trade by labor unions, as that principle now applies to other organizations.

I believe we must enact my legislation if we wish to prevent monopolistic fixing of wages, production, or prices and if we wish to preserve the freedom of the employer and his employees to contract on wages, hours, and conditions of employment. This is an antiabuse and not an antilabor or antimanagement approach.

We must measure my proposal in proper perspective. It is a further step in a long line of legislative enactments bearing on the problem. We should be perfectly clear as to what I am proposing; and there should be no misunderstanding as to the full implications of this proposal.

As I have indicated earlier, my bill would amend the Sherman Antitrust and the Clayton Acts. Why?

The Sherman Antitrust Act was adopted in 1890. It says that "every contract, combination or conspiracy, in restraint of trade or commerce among the several States" is illegal (26 Stat. 209 (1890); 15 U.S.C. 1) and, as passed, did not distinguish between combinations of businessmen and combinations of unions. The law was the product of public fear of the coercive and unrestrained power of large industry and massed capital.

Today, it is mainly concerned with the preservation of legitimate competition by maintaining free markets and by the control of trusts and monopolies which are in restraint of trade. The Attorney General of the United States is authorized to secure injunctive relief against any violations and secure criminal prosecutions and any person who suffers injury as a result of the violation of the law by others can maintain a civil suit to recover triple damages against violators of the act.

LABOR UNION IMMUNITY DEVELOPS

As originally passed, the Sherman Act contained no exemption for labor union activity. Prior to its passage, however, organized labor had requested a specific exemption—see Holmes' unanimous U.S. Supreme Court opinion in *Loewe v. Lawlor* (208 U.S. 274, 301). The fact that this request was not accepted indicates that Congress at that time intended the law to apply to all monopolistic combinations. It therefore follows that the law was meant to cover all people and all combinations, including unions, if their activities interfered with the free flow of goods or created a monopoly resulting in restraint of trade.

While passed in 1890, it was not until 1908 in the *Danbury Hatters case (Loewe v. Lawlor)*, 208 U.S. 274, that the U.S. Supreme Court considered its application to labor unions. In that case, the union attempted to win a strike by engaging in a national "don't buy" boycott, which had the effect of interfering with the sale of hats by a Connecticut firm to dealers and customers outside that State.

In interpreting the Sherman Act, the Court established the principle that labor unions were subject to the act if the intent to interfere with interstate commerce is proven, and if the reduction in commerce is unreasonable.

Organized labor then sought exemption from the Sherman Act. In 1914, Congress responded by passing the Clayton Act (33 Stat. 731, sec. 6, 20 (1914), 15 U.S.C., sec. 17 (1952), 29 U.S.C., sec. 52 (1952)). Although this act was widely hailed by labor unions as exempting them from the Sherman Act, it merely declared that labor organizations were not unlawful per se, and that they were not forbidden from "lawfully carrying out" their "legitimate objects."

But in a series of subsequent decisions, the U.S. Supreme Court reviewed the Clayton Act and held that unions that engaged in secondary boycotts or sympathy strikes departed from "normal and legitimate objects" and were subject to antitrust laws—see *Duplex Printing Co. v. Deering*, 254 U.S. 443 (1921); *American Steel Foundries v. Tri-City Central Trades Council*, 257 U.S. 184 (1921); *Bedford Cut Stone Co. v. Journeymen Stone Cutters Assn.*, 274 U.S. 37 (1927).

These decisions led to wide use of injunctions in labor disputes. Congress reacted by enacting the Norris-La Guardia Act (47 Stat. 70, 71 (1932), 29 U.S.C., sec. 101, 105 (1952)). The act virtually prohibited injunctions by Federal courts in labor disputes. It thereby legalized union conspiracies to violate the Sherman Act.

The U.S. Supreme Court in two decisions then affirmed labor union immunity from application of the antitrust laws. These were *Apex Hosiery Company v. Leader*, 310 U.S. 469 (1940), and *U.S. v. Hutcheson*, 312 U.S. 219 (1941).

In the *Apex* case, the High Court held the antitrust laws did not apply to an organizational "sit-down strike" when the union seized the plant and tried to eliminate non-union-made hosiery from moving in interstate commerce. The union refused to ship hosiery destined for out of State. The company sued for

treble damages. The Court said there was no "restraint" of interstate commerce since no suppression of competition for the employer's product was shown.

In the *Hutcheson* case, the Court said that the Clayton and Norris-La Guardia Acts must be construed as exempting unions from the antitrust laws. This case stemmed from a jurisdictional dispute between the Carpenters and Machinists. The Court found the union did not violate the Sherman Act, regardless of the "wisdom or unwisdom, the rightness or wrongness, the selfishness or unselfishness of the end of which the particular union activities are the means."

Other decisions following the *Apex* and *Hutcheson* cases show the clear immunity unions enjoy under the antitrust laws. Thus, in *U.S. v. Corrao* (137 F. Supp. 191, Affirmed 313 U.S. 539 (1941)), the Court held lawful the action of a labor union in requiring contractors using ready-mixed concrete to employ the same number of men as would be needed if the concrete were mixed by hand.

In *Hunt v. Crumboch* (325 U.S. 821 (1945)), the Court held that the Sherman Act was not violated by a union which, because of a past dispute with an employer, refused to supply him with workers or admit to membership anyone who worked for him, thus destroying his business. Justice Jackson in his dissent in that case put it in a nutshell:

This Court now sustains the claim of a union to the right to deny participation in the economic world to an employer simply because the union dislikes him. The Court permits to employees the same arbitrary dominance over the economic sphere which they control that labor so long, so bitterly and so rightly asserted should belong to no man.

The sole exception to union immunity is when a union acts with a nonlabor group, as for example a group of employers. (*Allen Bradley Co. v. Local 3, IBEW*, 325 U.S. 797 (1945).)

THE DOUBLE STANDARD

In sharp contrast with the broad labor union immunity is the strict but proper application of antitrust principles to management. I have cited instances of the union immunity. I now must cite instances of virtually similar management activity which has been held illegal.

The double standard is illustrated in the case of *Hunt* against *Crumboch*, referred to earlier. There, the union was freely permitted to destroy an employer's business. Yet, precisely the same conduct by an employer or a group of employers is prohibited by the antitrust laws and has been so held in a series of Supreme Court cases. See *Eastern States Retail Lumber Dealers Assn. v. United States*, 234 U.S. 600 (1914); *Fashion Originators Guild v. F.T.C.*, 312 U.S. 457 (1941); *U.S. v. Women's Sportswear Mfrs. Assn.*, 336 U.S. 460 (1949).

I noted earlier that unions are permitted free rein to prevent new techniques and to increase an employer's costs as illustrated in *United States* against *Corrao* where extra but un-

needed men were required to be employed to make ready-mixed concrete. Yet, if employers combine to prevent others from using new techniques in their industry and thus maintain an artificial level of high prices, they are subject to antitrust violations. See *Hartford Empire Co. v. United States*, 323 U.S. 386 (1945).

Also, a union may try to force a manufacturer to work only with goods produced by union members, but the same conduct by a manufacturer, along with other manufacturers, which would exclude competitors, would be unlawful. See *American Tobacco Co. v. U.S.*, 328 U.S. 781 (1946).

Again, if unions divide up geographical areas for organizational purposes, there is no violation of antitrust laws. But if a group of employers agree not to compete in certain areas, a violation would exist. See *Timken Roller Bearing Co. v. U.S.*, 341 U.S. 593 (1951).

UNION PRACTICES REQUIRE CONGRESSIONAL ACTION

I have recounted the manner in which labor union immunity has developed under our law. And I indicated how a double standard has developed.

Let me cite additional reasons why my bill should be adopted.

A list of union activities which necessitate this control is headed by featherbedding and union restrictive practices. The Federal rule still appears to be that time-saving devices may be legally resisted by unions if those new techniques reduce employment. Thus, a union was able to prevent the use of paint sprayers without violating the antitrust laws. See *U.S. v. Bay Area Painters and Decorators Joint Committee*, 49 F. Supp. 733 (1943). See also Labor-Management Relations hearings, part 6, 1953, House Labor Committee, pages 2225-2226, for details on restrictions on spray painting, rollers, and paint products.

Other instances of restrictive practices include the refusal by the musicians' union to permit its 140,000 members to make phonograph recordings or electrical transcriptions. This had the effect of destroying manufacturing and distribution businesses, restricting labor-saving devices, and compelling radio stations, recording studios, and others to maintain obsolete or inefficient methods, but was held nonetheless not to violate the antitrust laws. (*U.S. v. American Federation of Musicians*, 47 F. Supp. 304, Affirmed 318 U.S. 741 (1942). Also see *NLRB v. Gamble Enterprises, Inc.*, 345 U.S. 117 (1953).)

More recent illustrations which point up the fantastically broad hindrance placed on the American economy include the useless crew positions on railroads which are estimated to cost \$500 million per year. See *Railway Age*, January 25, 1960, page 42. In the printing trades, the practice of setting bogus type amounts to unneeded and expensive production. See *American Newspaper Publishers Assn. v. NLRB* (345 U.S. 100, 1953).

Payment for time not worked, excessively large crews, and union-set limits on production were recent steel industry

work practices brought to public light. See "Showdown on Featherbedding," *Engineering News-Record*, July 30, 1959, page 74. Limits placed on production techniques in the entertainment industry are well known.

The recent New York tugboat strike involving the number of men to man the boats and the employers' freedom to decide crew size tied up almost the entire eastern railroad network and is one indication of the vast power only one small segment of labor may exert on the entire economy.

In recent trucking industry contract negotiations, James R. Hoffa's Teamsters got Midwest truckers to agree that after February 1, 1962, they would begin paying his union a flat \$5 fee for every trailer they load on a railroad flatcar. By penalizing truckers financially for engaging in piggybacking, the Teamsters count on stifling the use of railroads.

Let us look for a moment at the factual situation in 1961. Most industrialized areas are dominated by unions. The major industries are organized; nonunion members are indeed few.

What are the possibilities?

Bear in mind the possibility of a single national transportation union capable of halting the movement of everything.

Consider also the contract between the United Mine Workers signed in 1958 and the major coal companies which cut off nonunion mines from their markets by forbidding unionized companies to buy coal from them.

Add the continually increasing practice of pattern wage settlements in collective bargaining under which a wage increase in one industry is inevitably followed by similar wage increases in many other industries.

Recognize that in the automobile industry substantially identical agreements are insisted upon; in steel the identical is not only true, but most bargaining agreements expire at the same time.

Consider the power of the large international union to dictate the conditions under which all competing employers in an industry must operate, thus seriously undermining competition among employers, arresting new technological developments and hampering, if not eliminating, the stimulus for greater efficiency in production, which would result in lower prices and thus be beneficial to our American economy.

If more is needed, think seriously—very seriously—for a moment about UAW Secretary-Treasurer Emil Mazey's remarks advising union presidents to order slowdowns of work if striking steelworkers were ordered back to the jobs by a Taft-Hartley injunction in 1959. See *Wall Street Journal*, October 15, 1959, page 6.

Remember the strike against a Government arbitration decision by the airline engineers union causing an impossible burden on employers and the public.

From this recital, it is absurd and indefensible to continue the exemption from the antitrust laws.

Subjecting unions to antitrust principles will not impede their ability to bargain collectively, to strike or to continue their national organizations. It would simply mean that unions could no longer restrain trade or create monopolies to the detriment of the public. Union leaders will doubtless claim this proposal is antiunion. But is the Sherman Act antibusiness? Is it right for unions or any other segment of our country to be free to combine and conspire so that competition is rendered meaningless, and trade—supposed to benefit all—is restrained for the advantage of a few?

INDUSTRYWIDE WAGE FIXING

Mr. Speaker, permit me now to address myself to the second major aspect of my proposal.

Under my bill, a union may represent only the employees of one employer so that the jurisdiction of one would be as large as that particular employer. Dictation or control by internationals over local union affiliates as to wage and other bargaining matters is prohibited.

The problems which I am seeking to reach arise from bargaining practices which have developed in recent years under which national, area, regional or other substantial and large segments of an industry bargain with a single union.

Where bargaining in these industries fails to produce a settlement, the industry concerned can be throttled by a single large international union—and sometimes even by one person, the president of that union. This is the situation which has normally produced the national emergency strikes of the past several years. Where agreement is reached between the one union and management, not infrequently, prices of products sold by these employers are raised.

Requiring a union to bargain with one employer will be a boost to the economy. It will permit independent and responsible local action in bargaining activities. It will recognize differences between employers, their locations and circumstances. It will tend to discourage national emergency strikes in those industries which now practice what in effect is national or regional bargaining. These include the trucking, shipping, shipbuilding, automobile, steel, anthracite and bituminous coal, construction, railroad, and pottery industries.

What protects the public today?

Before industrywide bargaining or its modified forms, the self-interest of an employer in holding down overhead costs—which included wages paid to his employees—was a built-in protection for the public. The public could be reasonably assured that excessive union demands would be resisted and prices would not be uniformly raised. Contrast the situation today.

Bargaining on a broad industrial or geographic front is the process of setting uniform wages in a particular industry so that the overhead cost of wages on each employer is the same. Each employer is certain that his competitors will be forced to make concessions equal to his and his extravagance will not subject him to competitive disadvantages. Should a wage increase later cause him

to raise his prices, he is reasonably sure his competitors will be in a similar situation.

The country should correct this problem quickly. It is an economic absurdity to discipline prices through the competitive process and, at the same time, encourage inflationary wage increases through unrestricted concentration of union power.

The public is painfully aware of the national emergency strikes caused by industrywide bargaining. My bill will reduce the national impact of a strike. Where a union bargains with one employer it may strike, but his competitors may be likely to have a different labor contract expiration date and thus remain in normal operation. The public will not suffer as it does today because an entire industry is stopped.

Industrywide bargaining stifles the growth of various regions. Differences in the growth of regions are not due only to wage levels. Our great United States is comprised of areas which are different. Some areas are more accessible to markets, transportation; others have more raw products, skilled craftsmen, climatic attractions, and so forth. Imposing uniform wage scales by industrywide bargaining will not contribute to growth.

The objective of a national anti-monopoly program should be to maintain workable competition in product markets and to restrain the development of undue concentration of power in the labor market. It is a balance of anti-monopoly policy which is desirable. This bill will provide this balance, help the United States to have a competitive and able economy, and will protect the consumer from monopoly power of whatever source.

What is the future of free labor-management relations in the light of recent actions and manifestations by the administration which intervenes in a tugboat strike, establishes, by executive order, a missile launching base committee to supervise no-strike, no-lockout pledges, announces that the Nation cannot stand interruptions in the vital air transportation industry—or the auto industry, and purports to conduct settlements of all disputes through the Secretary of Labor?

What will be the next form of intervention? Compulsory arbitration? More and more "factfinding" which really is a not-too-subtle way of dictating? Unless we reverse our trend, I believe the end of free collective bargaining is not very far away, and this is something which neither management nor organized labor wants.

In conclusion, let me repeat that my sole interest is in the preservation and strengthening of our free, democratic institutions. Our Nation will grow stronger only as our internal affairs are kept in order. We cannot tolerate concentrations of power at home any more than we can condone them abroad.

With responsibility fixed clearly for the conduct of both labor and management, we can provide the catalyst that will harness our strength to pull together to meet the challenges of the years ahead.

Security and the Scientist

EXTENSION OF REMARKS

OF

HON. DONALD D. CLANCY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Saturday, September 16, 1961

Mr. CLANCY. Mr. Speaker, the Institutum Divi Thomae in Cincinnati, Ohio, is one of the most unique and exclusive graduate institutions of scientific research and study in the United States. For more than a quarter of a century it has devoted its basic activities to finding the cause and cure of cancer. Its discoveries in this field have gained for it worldwide acclaim. Its president, Dr. George S. Sperti, and its dean, Dr. Elton S. Cook, have won wide recognition for their attainments in the scientific world.

On Tuesday of this week the institutum held its 24th convocation and 22nd annual research conference. The following received degrees from Dr. Sperti:

The degree of master of science was awarded to Bernd Kroenberg, of Cincinnati.

Degrees of doctor of philosophy were conferred on Delia Marie Barreto, formerly of the Pasteur Institute, Paris, who will become a research assistant at Oxford University, England; Sister Ida Cosby, S.C.N., Nazareth College, Louisville; Nicolas J. Mamola, Cincinnati, who will join Johns Hopkins University Medical School as a research associate; and Ambrose M. Tokushige of Kyoto University, Japan, who will become a research associate at Massachusetts Institute of Technology.

I am pleased to announce, Mr. Speaker, to the Members of the House that our colleague from Ohio, Mr. GORDON H. SCHERER, had conferred upon him the honorary degree of doctor of laws.

Mr. SCHERER delivered the convocation address which follows:

SECURITY AND THE SCIENTIST

It is with mixed feelings that I address you today; a feeling of honor—that I have been asked to speak to the doctors and masters, the faculty and directors of one of the most exclusive graduate institutions of scientific research and study in this country; a feeling of satisfaction—that another group of men and women, once tyros in the field of scientific study, have become true doctors and masters of this exacting field of knowledge; a feeling of congratulation—for each one of you for a job well done; a sense of gratitude—for what you will be able to do for mankind with the knowledge and skills developed during your studies at the Institutum Divi Thomae; a feeling of humility—when I think of the scientific knowledge that is yours, singly and as a group; a feeling of pride—that the Institutum has seen fit to confer an honorary degree upon me.

As a lawyer and politician, I should, perhaps, feel something of a stranger addressing a scientific institute. Yet, in this instance, I actually feel, instead, a kind of kinship and quite at home for, as a member of the Committee on Un-American Activities of the Congress of the United States, I have for some years been engaged in work that is, in many respects, quite similar to yours.

There are many killers stalking the earth today. Cancer is one. It causes pain, suffering, death. It eventually destroys human

bodies. For years the Institutum has devoted most of its research to finding the answer to the problem of cancer—what causes it, how it grows, how to treat it, how to destroy it if possible, or, barring that, how to immunize its potential victims against its ravages.

There is another killer stalking the earth today—communism. For 20-odd years the Committee on Un-American Activities has been doing research on this cancer of the body politic; What causes it, how it spreads, who and what are its carriers, how its progress can be blocked, how people may be immunized against it.

Cancer kills the human body. Communism kills bodies, too. During the last four decades it has destroyed far more than cancer has. And frequently—which is much worse—it kills human souls. It also destroys other things more precious than mere physical life, things for which countless people over the centuries have gladly died. It destroys freedom—freedom of religion, speech, press, political choice, and freedom of scientific study and research.

We, the Institutum Divi Thomae and the Committee on Un-American Activities, have similar problems. Neither of us has yet found the answers to them. Both, however, live and work in the hope that we will find the answers—and sometimes in a desperate realization that we must find the solution to these scourges of our time.

Cancer research is so exacting in its demands, requiring highly specialized knowledge and skills, that the mere layman can offer you little or nothing toward a solution of the problem it presents. We must leave the complexities of this tremendous challenge to you, the scientists.

Communism is a different kind of problem. While it is no field for the amateur, and while well-intentioned persons who have lacked sufficient knowledge have often impeded the fight against it, yet communism is a problem of such nature that all informed persons can contribute to its eradication, including, of course, the scientist.

Our century at various times has been called the age of science, the air age, the age of electronics, and now we hear it spoken of as the space age. Of all of these, I believe age of science best describes our era—because the development of aircraft and electronics, and now the exploration of space, are no more than varied manifestations of scientific advancement. This term best describes our century, too, because it is science in general that has made tremendous contributions to all phases of our life.

In view of this fact it is not surprising that the scientist is the man of the hour. Business, education, government all want the scientist—and all will pay him well.

Weighing all that the scientist has contributed to our age, the question naturally poses itself:

What has been the scientist's contribution to eradicating the cancerous growth of communism which is slowly but surely strangling our national security and threatening our very survival as a free and Christian people?

In one sense, the scientist has made the greatest contribution of all in this as in other fields. Ironically, however, it is a contribution in which many scientists take little or no pride and of which many are actually ashamed. I am referring, of course, to the development of the atomic bomb.

Granted, this is a horrible weapon of destruction. But think for a moment where humanity would be without it. For years following World War II, the only deterrent to Stalin's Communist hordes sweeping over Western Europe and other areas of the world was the U.S. monopoly of the atom bomb. We had demobilized, cut our forces at a suicidal rate to a suicidal size. Without the bomb we would have been helpless

before vastly superior numbers and conventional military forces of the Kremlin. The bomb stopped them.

Translated into human terms, what does this mean? It means that millions are alive today who would be dead were it not for the bomb. It means that nations that are still free, with peoples whose minds and souls are free, would be enslaved.

Should any scientist then be ashamed of the atomic bomb or other nuclear weapons?

What is the purpose of these deadly weapons? Why were they created? Was it to wantonly kill millions? Was it to gain territory or to win domination over other men? No. The primary purpose of these weapons, as developed by scientists of the free world, is to prevent war, to save lives, to preserve nations of freemen from the scourge of Communist enslavement. So it is evident that it is the scientist who has made the greatest contribution to American security.

While this is true, it is also true that a vocal minority in the scientific community has injured and imperiled our national security.

Why and how have they done this? Some simply because they do not understand the nature and objectives of the international Communist conspiracy. Others because they are Communists and pro-Communists. This latter group, unfortunately, has often victimized the former into serving Moscow's drive for world domination.

These scientists claim that scientific progress in this country has been impeded by a too vigorous anticommunism and a too restrictive security program. These conditions, they assert, have created an "atmosphere of fear" in scientific circles, have deterred some scientists from working for the Government and have led to the dismissal of others. They were promoting this line in 1957, when the Soviet Union beat us to the punch by launching Sputnik I. They are still peddling this line today.

What is the truth about these claims?

1. The Soviet scientists who produced the first sputnik and the missile that sent it into space—and who have since sent man into orbit—have worked under unbelievably strict security measures far more stringent than those existing in the United States. Overall, the Soviet Union is the most totalitarian nation ever to exist on the face of the earth, yet Soviet scientists are achieving results which are the envy of the free world and which are skyrocketing Communist prestige and influence.

If police state security is not impeding Soviet scientists, why should strict security measures stifle our men?

2. Certainly the German scientists who produced the V-1's and V-2's which terrorized London during World War II, did not work in an atmosphere of freedom. Yet they were the pioneers in the field of rocketry.

3. The United States was the first nation to produce the atomic bomb. The scientists who made this major breakthrough worked under the tightest security regulations ever used in this country. But these measures did not create a fear complex or psychological bloc which hampered their research and development.

4. In the latter part of 1957, a Presidential Committee, established to inquire into the shortage of scientists and engineers in Government service, found what we might have expected—that it was difficult for the Government to recruit scientists and engineers because other employers were offering them better pay. In the course of its investigation, however, this Presidential Committee also carefully studied the security problem. It asked thousands of scientists in Government and industry if security regulations impeded their work in any way. Ninety-one percent of those in Government service said

they did not; 97 percent of those in industry agreed. Only 6 percent claimed that security requirements hindered their progress.

These facts show conclusively that the claim of this vocal minority I have referred to is utterly false. Yet, I regret to say this claim is constantly made by a certain clique of scientists, by certain leftwing newspapers and magazines—and accepted by many people. This false Communist-inspired propaganda, disseminated among the American public, has long been an impediment to the development of a truly effective security program.

What about the claim that U.S. security regulations, whether they impede scientific research or not, are too strict?

Here are some facts which shed light on the answer to this question.

1. Soviet agents stole the secret of the atom bomb even though its development was surrounded by the tightest security regulations ever to exist in this country.

2. Immediately after Moscow launched Sputnik I in 1957 three of the Soviet Union's top missile experts were permitted to tour the Naval Research Laboratory in Washington. They were shown how U.S. satellites were made and tested; they were permitted to inspect the control center for their operation, and given other information concerning our satellite program. Believe it or not, U.S. newspaper reporters were barred from the area because it was restricted.

3. On the other hand, the Pentagon today does not have the right to fire from defense plants persons who, it has good reason to believe, are potential espionage agents and saboteurs. Since the Greene case was decided by the Supreme Court 2 years ago, it is difficult and sometimes impossible to deprive individuals in private industry of access to highly classified scientific information even when the Government has reasonable grounds to believe that they are security risks.

4. At about the time sputnik was launched, and since that time, the Committee on Un-American Activities has revealed that members of Communist-controlled unions are employed at U.S. communications centers handling secret military messages and as key technicians in the conelrad defense warning system; that Communists hold licenses to operate various types of radio and telegraphic equipment that would enable them to sabotage conelrad—and that the Government has no clearcut power to deprive them of such licenses.

It has further been revealed that security regulations at the super-secret National Security Agency were so completely inadequate that Vernon Mitchell and William Martin, top mathematicians, were cleared for employment even when it could have been easily determined that they were sex deviates. Committee members were astounded when they learned that these men were employed even though behavior abnormalities of one of them were revealed by a polygraph test taken at the time of their employment. It has long been recognized that sex deviates are bad security risks since they can be easily blackmailed into serving the enemy.

These two mathematicians, as you will recall, defected to the Soviet Union last year and among other things disclosed to the Kremlin that the United States had broken the secret codes of some 40 nations. Naturally these codes were changed, and it is obvious that the United States has been deprived of much valuable information. Of course, the most harmful effect of their defection was the tremendous propaganda victory gained by the Soviets throughout the world when these men, after reaching the Soviet Union, attacked the policies of the United States.

It is significant that, since the committee's investigation began shortly after the defec-

tion—an investigation which is still going on—26 sex deviates have been discovered in the National Security Agency alone and removed. Just the other day we got rid of 16 more of them in the International Cooperation Administration.

I realize most of these people are unfortunately and not disloyal but in these times of great peril we cannot afford to have them in sensitive jobs in Government where they automatically become security risks, subject to blackmail.

The National Science Foundation, as you know, was set up by the Congress primarily to aid in the national defense by granting taxpayer's money for advanced scientific study and for grants to universities and other institutions for research and development of special projects for the Government. Within the past few months the Committee on Un-American Activities from its investigations has learned that the Foundation since the time of its formation in 1950 has been making absolutely no security check on persons who receive individual grants. It has made no security check on the individuals who actually do the work for the universities engaged in this Government work. Often it does not even know the identity of the supervising personnel.

I was flabbergasted the other day when I learned that a top scientist, identified as a Communist, and who gave information on the atomic bomb to a Soviet agent during World War II, is now working on a Government project at one of our universities.

Just a few months ago the committee through its investigations learned that one Edward Yellin had been given a National Science Foundation fellowship at the University of Illinois. Keep in mind that, as I have said, the National Science Foundation was created by the Congress primarily to promote scientific study and research in the interest of national defense.

In 1958 the Committee on Un-American Activities, in hearings at Gary, Ind., determined that Edward Yellin, an identified Communist, was a colonizer for the Communist Party in basic industry in the Chicago area. A Communist colonizer of industry is one who misrepresents and downgrades his educational attainments in order to get a menial job on the assembly line where he can indoctrinate his fellow workers with Communist Party policy and stir up dissension.

Edward Yellin was convicted in the Federal court for contempt of Congress for refusing to answer questions concerning such activities during the hearing of the committee at Gary. In spite of his record and in spite of this conviction, Yellin was granted first a Ford Foundation scholarship and then a National Science Foundation fellowship at the University of Illinois graduate school.

Those at the university who recommended him for the National Science Foundation fellowship felt no obligation to disclose what they knew about Yellin's colonizing activities and his conviction in the Federal court. Of course, there was no excuse for the National Science Foundation not to have known of Yellin's record. But as I have said, no security check is made.

Would you say, while such conditions exist—and I could mention many similar situations if time permitted—that our security measures are too restrictive?

What particularly disturbed the committee in its investigation of the National Science Foundation was the attitude shown by the director when he was questioned about its complete lack of security measures. He stated, in effect, that scientists were different from the average American citizen; that the National Science Foundation would not be able to get some scientists to do even basic scientific research, completely unclassified, under Government auspices if they dared

bother them with questions about affiliations with Communist-front organizations and other questionable activities and associations. If the Government wanted the cooperation of American scientists, he intimated, it had to bend over backward in its efforts not to offend their delicate sensibilities by so much as raising the question of security.

He was—I believe and hope—here expressing an erroneous opinion of what scientists are like, rather than actual fact. The 1957 Presidential committee report I mentioned a few minutes ago, I believe disproves his contention—at least as far as the great majority of scientists are concerned. They are willing to work for Government in any type of research, even if it means strict security regulations and careful investigation into their personal backgrounds.

All of us must keep in mind this basic fact—that a Communist, no matter what else he may be, is a Communist first, last, and always. He may also be a scientist, a teacher, a union officer, a writer, or a government official, but dedication to communism and loyalty to the Kremlin always supersede his loyalty to his country and to the principles and ethics of his profession.

I will not repeat here the names of the scientists who were Communists first and who betrayed their country by passing to the enemy some of our most vital scientific secrets. Those scientists and others who feel they are helping humanity by insisting that all scientific discoveries be made available to the Kremlin are living in a fool's paradise. They close their eyes to the fact that international communism uses science and its discoveries not for the people but for the all-powerful, totalitarian state whose ends are evil.

For the last few minutes I have been talking about a decided minority of scientists in this country. Because they are so vocal, however, they have succeeded in leading many Americans to believe that they speak for the majority of scientists in this country. This, of course, has been to the detriment of the loyal majority. It, therefore, behooves this majority, which is often silent on major issues of our day, to speak up more often, and more loudly, to correct the erroneous impression some Americans have of the part being played by scientists in our national security.

Let me give you just one example of the part the scientist plays in our national security. One of the fateful and certainly one of the most difficult and complex decisions of our time involves nuclear testing. While the final decision in these matters is made by the President, we all recognize that his decision results to a large degree from the advice and recommendation of the scientist.

To state the obvious, it is vitally important on which particular scientists the President relies. Something more is required of these men over and above their scientific knowledge and accomplishment. They must have an abiding faith and conviction in our American heritage, and they must also fully understand the nature and objectives of the amoral, atheistic, totalitarian Communist conspiracy.

We must not forget that it was the Communists a few years ago who set in motion an intensified worldwide agitation and propaganda campaign for the cessation of all nuclear testing. We must remember that without nuclear weapons the United States is no match for the Soviet-Sino bloc with its inexhaustible manpower. We were far ahead in 1958 in nuclear weapons. We stopped testing. For almost 3 years the Soviets engaged in phony, deceitful negotiations with no intention of ever arriving at a nuclear test ban agreement. These negotiations were a farce and were carried on solely for the purpose of having the United States stop

testing the weapons which represented the balance of firepower between the East and the West.

We never learn. The Soviets have said and written time and time again that there can no more be sincere diplomacy than there can be dry water. They practice what they preach in this respect. They have flagrantly violated almost all of the 1,000 treaties and nonaggression compacts they have made with countries of the free world. They have kept only a handful which suited their purpose.

I am convinced that the Soviets during these past 3 years have been secretly and surreptitiously conducting underground nuclear tests somewhere in the wastelands of Siberia. A few days ago the Communists broke off these farcical negotiations and im-

mediately began testing. They threatened the world with a megaton super bomb equivalent in power to 100 million tons of TNT. People were in a quandary as to why the Soviets should lay themselves open to censure by scuttling the nuclear test ban talks and openly commencing atmosphere testing. To me the answer is comparatively simple. They have now caught up or may have even gone ahead. They were worried that they could not much longer deceive the world and that their cheating would be found out. If this happened, they fully realized that the impact of adverse world opinion would be far greater than the announcement that they were resuming testing.

It is vitally necessary that all Americans, in every field of endeavor, must be abso-

lutely convinced beyond any peradventure of a doubt that we are not engaged in a popularity contest with a competing economic system. We are not faced merely with certain annoying adjustments which should be made so that we may coexist with a different system of Government. We are now in a death grip with an enemy the like of which for debasement and inhumanity the world has never before experienced, an enemy whom we can ignore, appeals, negotiate with, only at the expense of our survival.

This is the challenge of our day to all patriots of this Republic. We must accept this challenge. We shall either dedicate ourselves to it or face slavery and destruction.

SENATE

MONDAY, SEPTEMBER 18, 1961

(Legislative day of Saturday, September 16, 1961)

The Senate met at 12 o'clock noon, on the expiration of the recess, and was called to order by the President pro tempore.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Almighty God, Thou art the true home of our souls, whence we sprang, to whom we belong, and in whose love and fellowship we may daily renew our strength.

At the beginning of another week, comfort us, we beseech Thee, with a vivid awareness of the spiritual verities by which we are surrounded and undergirded that we may be stripped of pride and made humble and penitent.

In a world full of the clamor of the violent, the boasting of the arrogant, and the agony of tortured peoples, make us valiant for Thy truth in a day when the hearts of many turn to water.

As undefeated souls may we sustain the shocks of these volcanic days, master their handicaps, turn their threats into challenges, and at last make even the wrath of men to serve Thee.

In the Redeemer's name we ask it. Amen.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the Journal of the proceedings of Saturday, September 16, 1961, was approved.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries, and he announced that the President had approved and signed the following acts:

On September 14, 1961:

S. 48. An act to authorize the Secretary of the Army to modify certain leases entered into for the provision of recreation facilities in reservoir areas;

S. 203. An act to declare that the United States holds in trust for the pueblos of

Santa Ana, Zia, Jemez, San Felipe, Santo Domingo, Cochiti, Isleta, and San Ildefonso certain public domain lands;

S. 322. An act to make certain funds available to the Nez Perce Tribe of Idaho;

S. 344. An act to amend the Seneca Leasing Act of August 14, 1950 (64 Stat. 442);

S. 415. An act for the relief of Margaret Jean Dael;

S. 685. An act to amend the Coast and Geodetic Survey Commissioned Officers Act of 1948, as amended, and for other purposes;

S. 888. An act to authorize the Secretary of the Interior to lease certain lands in the State of Utah to Joseph A. Workman;

S. 935. An act for the relief of certain members of the Army National Guard of the United States and the Air National Guard of the United States;

S. 1012. An act to direct the Secretary of the Interior to adjudicate a claim of the Greif Brothers Cooperage Corp. to certain land in Marengo County, Ala.;

S. 1518. An act providing for the disposition of judgment funds of the Omaha Tribe of Indians;

S. 2016. An act to give to the Walker River Paiute Tribe the reserved minerals underlying its reservation; and

S. 2216. An act to authorize the transfer of three units of the Fort Belknap Indian irrigation project to the landowners within the project.

On September 15, 1961:

S. 1540. An act to amend the law establishing the Indian revolving loan fund.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator from Montana will state it.

Mr. MANSFIELD. What is the pending business?

The PRESIDENT pro tempore. The pending business is the motion of the Senator from Montana that the Senate proceed to the consideration of Senate Resolution 4, to amend the cloture rule by providing for adoption by a three-fifths vote.

TRANSACTION OF ROUTINE BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that despite the fact that the Senate convened today following a recess, there may be a morning hour, with the usual 3-minute limitation.

The PRESIDENT pro tempore. Without objection, it is so ordered.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following communication and letters, which were referred as indicated:

PROPOSED SUPPLEMENTAL ESTIMATES, FISCAL YEAR 1962 (S. Doc. No. 51)

A communication from the President of the United States, transmitting proposed supplemental estimates for the fiscal years 1962 and 1961 (with the accompanying papers); to the Committee on Appropriations, and ordered to be printed.

REPORT ON ADMINISTRATIVE EXPENSES OF SMALL BUSINESS ADMINISTRATION

A letter from the Administrator, Small Business Administration, Washington, D.C., transmitting, pursuant to law, a report reflecting estimated obligations by principal activities of the Small Business Administration, for the period January 1, through June 30, 1961 (with an accompanying report); to the Committee on Banking and Currency.

REPORT ON REVIEW OF INTERSERVICE UTILIZATION OF AERONAUTICAL EQUIPMENT AND SUPPLIES WITHIN DEPARTMENT OF DEFENSE

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the review of interservice utilization of aeronautical equipment and supplies within the Department of Defense, dated September 1961 (with an accompanying report); to the Committee on Government Operations.

REPORT ON RECEIPT OF APPLICATION FOR LOAN UNDER SMALL RECLAMATION PROJECTS ACT OF 1956

A letter from the Secretary of the Interior, transmitting, pursuant to law, an application for a loan of \$942,100 for the Klamath Basin Improvement District in Klamath County, Oreg., under the Small Reclamation Projects Act of 1956 (with accompanying papers); to the Committee on Interior and Insular Affairs.

AMENDMENT OF SECTION 2 OF ACT OF JULY 31, 1947 (61 STAT. 681)

A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation to amend section 2 of the act of